

### **REMARKS**

This is a full and timely response to the non-final Office Action of April 15, 2009.

Reexamination, reconsideration, and allowance of the application and all presently pending claims are respectfully requested.

Upon entry of this paper, claims 24-26, 28-32, 38-40, 42-46, and 48-50 are pending in this application, and claim 28 is allowed. Claims 24, 39, and 48 are directly amended herein, and claims 34, 37, 47, and 51-53 are canceled via the amendments set forth herein. It is believed that the foregoing amendments add no new matter to the present application.

### **Response to §101 Rejections**

Claims 39, 40, and 42-46 presently stand rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. Claim 39 has been amended thereby mooting the 35 U.S.C. §101 rejections of these claims. Accordingly, Applicants request that the 35 U.S.C. §101 rejections of claims 39, 40, and 42-46 be withdrawn.

### **Allowable Subject Matter**

Claims 48, 49, and 51 are indicated as allowable if such claims are rewritten in independent form including all of the limitations of their respective base claims and any intervening claims. The features of claim 51 have been incorporated via amendment into independent claim 24, and claim 48 has been amended to include the features of claim 24. Thus, claims 24 and 48 are allowable. In addition, claim 49 depends from claim 48 and is, therefore, allowable as a matter of law. *In re Fine*, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

### **CONCLUSION**

Applicants respectfully request that all outstanding objections and rejections be withdrawn and that this application and all presently pending claims be allowed to issue. If the Examiner has any questions or comments regarding Applicants' response, the Examiner is encouraged to telephone Applicants' undersigned counsel.

Respectfully submitted,

**LANIER FORD SHAVER & PAYNE, P.C.**

By:

A handwritten signature in black ink, appearing to read "Jon E. Holland", written over a horizontal line.

Jon E. Holland  
Reg. No. 41,077

2101 W. Clinton Avenue, Suite 102  
Huntsville, Alabama 35805  
(256) 713-2264